

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOHN ACKER,

Plaintiff,

v.

DTG OPERATIONS, INC.,

Defendant.

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CIVIL ACTION NO. 3: 08-CV-1814-B

MEMORANDUM ORDER

Before the Court is Defendant's Unopposed Motion for Leave to Appear Without Local Counsel (doc. 3) (hereinafter, the "Motion"). Having considered the motion, the Court finds that it should be and hereby is **DENIED WITHOUT PREJUDICE**.

Counsel for Defendant, Thomas K. Kiggans (hereinafter, "Kiggans"), seeks leave to proceed in the present action without securing local counsel. In support of his Motion, Kiggans states that although his primary office is in Baton Rouge, Louisiana, he spends a significant amount of time practicing in Texas.


The Northern District's Local Rules require that each party to an action secure local counsel to assist in the prosecution of the case. See N.D. Tex. R. 83.10(a). The reasons for this rule are illuminated within the text of the local rules themselves. In defining the duties of local counsel, the rules mandate that "[l]ocal counsel must be authorized to present and argue a party's position at any hearing called by the presiding judge on *short notice*." N.D. Tex. R. 83.10(b) (emphasis added). The local counsel requirement thus seeks to prevent backlogs in the Court's docket by ensuring counsel

will be able to appear and represent the parties' interests in an abrupt manner.

In light of the foregoing requirements, it is hereby **ORDERED** that the Motion is **DENIED WITHOUT PREJUDICE**. However, Kiggans may continue to seek leave to proceed without securing local counsel by refiling the present motion along with a certification to the Court that he will be able to satisfy the duties normally required of local counsel. *See id.* Specifically, Kiggans must certify to the Court that he will be available for hearings called on short notice, including emergency hearings that may need to be held within twenty-four hours.

**SO ORDERED.**

**SIGNED October 15, 2008**



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JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE